

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

RANDY JOE NICHOLS, #149910,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:06-cv-615-MEF
)	
ALABAMA DEPT. OF CORRECTIONS,)	
<i>et al.</i> ,)	
)	
Defendants.)	

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge entered on July 17, 2006 (Doc. #5), said Recommendation is hereby ADOPTED and it is the

ORDER, JUDGMENT and DECREE that:

1. The plaintiff's claims against the Alabama Department of Corrections and Easterling Correctional Facility are DISMISSED prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).

2. The Alabama Department of Corrections and Easterling Correctional Facility are DISMISSED from this cause of action.

3. This case, with respect to the claims against Gwendolyn Mosley and Prison Health Care Services is referred back to the Magistrate Judge for appropriate proceedings.

DONE this the 23rd day of August, 2006.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE